



# City of San Antonio

## Agenda Memorandum

**File Number:**18-6351

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**Agenda Item Number:** Z-23.

**Agenda Date:** 12/6/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2018335

(Associated Plan Amendment 18096)

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District, "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District, and "O-1 AHOD" Office Airport Hazard Overlay District

**Requested Zoning:** "ED AHOD" Entertainment Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 6, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Alamo Park, Inc.

**Applicant:** Alamo Park, Inc.

**Representative:** Brown & Ortiz, P.C.

**Location:** Generally located southwest of the Thousand Oaks Drive and Schertz Road intersection

**Legal Description:** 17.68 acres out of NCB 14945

**Total Acreage:** 17.68

**Notices Mailed**

**Owners of Property within 200 feet:** 39

**Registered Neighborhood Associations within 200 feet:** Hills of Park North Neighborhood Association and Citizens on Alert

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on May 27, 1971, established by Ordinance 39443. The subject property was split-zoned into three zoning districts: "R-A" Residence-Agriculture District, "I-2" Heavy Industry District, and "B-2" Business District. These zoning districts converted upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001. The "R-A" base zoning district converted to "NP-10 Neighborhood Preservation District, the "I-2" base zoning district converted to "I-2" Heavy Industrial District, and the "B-2" base zoning district converted to "C-2" Commercial District. The current zoning districts changed from these previous zoning districts on December 6, 2007, established by Ordinance 2007-12-06-1271.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6, C-2, MF-33, C-3

**Current Land Uses:** Gas Station, Vacant Lots, Apartment Complex, Single-Family Residential

**Direction:** East

**Current Base Zoning:** ED, C-2, RP, R-6

**Current Land Uses:** Park, Vacant Lot

**Direction:** South

**Current Base Zoning:** ED

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** ED, C-2

**Current Land Uses:** Vacant Lot and Single-Family Residential

### **Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

### **Transportation**

**Thoroughfare:** Thousand Oaks Drive

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known

**Thoroughfare:** Schertz Road

**Existing Character:** Collector

**Proposed Changes:** None known

**Public Transit:** There is a bus stop at the corner of Thousand Oaks Drive and Schertz Road along Bus Route

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report may be required.

**Parking Information:** The proposed “ED” Entertainment District zoning request would include uses such as multi-family and commercial. Parking standards can be found in Section 35-526 of the Unified Development Code.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “MF-25” base zoning district permits any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre. The “O-1” base zoning district permits small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited. The “C-3” base zoning district is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center and a portion is located within a half-mile of the Austin Highway Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) recommend Approval, pending Plan Amendment.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within both the North Sector Land Use Plan and the San Antonio International Airport Vicinity Land Use Plan. The subject property is currently designated as “Parks/Open Space” and “Suburban Tier” in the land use component of the plan. The requested “ED” base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment to “Public Institutional” and “Civic Center” in order to align the requested zoning district with the two plans. Staff and Planning Commission recommend Approval of the Plan Amendment.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The applicant is requesting the change in zoning in order to expand the neighboring development. There is “ED” zoning directly to the south of the property.

**3. Suitability as Presently Zoned:**

The existing “C-3,” “MF-25,” and “O-1” base zoning districts are appropriate for the surrounding area. There are residential and commercial uses in the surrounding area, so the current zoning is appropriate.

**4. Health, Safety and Welfare:**

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The requested zoning does not align with the plans as currently designated; however the applicant is requesting a Plan Amendment.

**6. Size of Tract:**

The 17.68 acre site is of sufficient size to accommodate the proposed development.

**7. Other Factors:**

None.